

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of DUCLOS

Confirmation No. 9596

Application No. 10/533,986

Examiner: Not yet assigned

Filed: May 5, 2005

Group Art Unit: 3681

For: PENDULUM ACTUATED GEARING MECHANISM AND POWER GENERATION  
SYSTEM USING SAME

**REQUEST FOR CORRECTED FILING RECEIPT AND  
NOTICE OF ACCEPTANCE OF APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find attached a copy of the Filing Receipt and Notice of Acceptance of Application under 35 U.S.C. §371 and 37 C.F.R. §1.495 ("Notice of Acceptance") as received from the United States Patent and Trademark Office in connection with the above-identified application. Applicant respectfully requests a corrected Filing Receipt and Notice of Acceptance as follows:

**Filing Receipt:**

In the "Filing or 371(c) Date" section, please correct the date listed to the following: **03/18/2006**.

**Notice of Acceptance:**

Under "The United States Application Number assigned to the application is shown above and the relevant dates are" section, please correct the date listed to the following: **03/18/2006**.

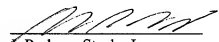
A copy of the Filing Receipt and Notice of Acceptance are enclosed with the changes noted thereon.

As supporting evidence, Applicant provides a copy of the Response to Notification of Missing Requirements filed on March 8, 2006, as well as a copy of the stamped return receipt postcard indicating that the Patent Office received our response on March 13, 2006.

Correction of the error and prompt forwarding of a corrected Filing Receipt and Notice of Acceptance are respectfully requested.

Respectfully submitted,

Date: 3-28-07

  
J. Rodman Steele, Jr.  
Registration No. 25,931  
Mark D. Passler  
Registration No. 40,764  
Akerman Senterfitt  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Telephone: (561) 653-5000

Docket No. 789-89



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/533,986	<del>12/04/2006</del> 03/13/2006	3681	1140	789-89	15	37	5

CONFIRMATION NO. 9596

30448  
 AKERMAN SENTERFITT  
 P.O. BOX 3188  
 WEST PALM BEACH, FL 33402-3188

## FILING RECEIPT



\*OC000000022088868\*

Date Mailed: 01/29/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Paul Duclos, Iles De La Madeleine, QC, CANADA;

Power of Attorney: The patent practitioners associated with Customer Number 30448.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/CA04/01628 09/03/2004  
 which claims benefit of 60/500,020 09/05/2003

## Foreign Applications

If Required, Foreign Filing License Granted: 01/20/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/533,986**

Projected Publication Date: 05/03/2007

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

RECEIVED  
DOCKETING

FEB 01 2007

AKERMAN SENTERFITT, P.A.

**Title**

Pendulum actuated gearing mechanism and power generation system using same

**Preliminary Class**

192

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

### **LICENSE FOR FOREIGN FILING UNDER**

#### **Title 35, United States Code, Section 184**

#### **Title 37, Code of Federal Regulations, 5.11 & 5.15**

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof

unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/533,986	FIRST NAMED APPLICANT Paul Duclos	ATTY. DOCKET NO. 789-89
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INTERNATIONAL APPLICATION NO.
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PCT/CA04/01628

I.A. FILING DATE 09/03/2004	PRIORITY DATE 09/05/2003
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30448  
 AKERMAN SENTERFITT  
 P.O. BOX 3188  
 WEST PALM BEACH, FL 33402-3188

CONFIRMATION NO. 9596

## 371 ACCEPTANCE LETTER



\*OC000000022088869\*

Date Mailed: 01/29/2007

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

03/13/2006  
~~12/04/2006~~

03/13/2006  
~~12/04/2006~~

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS

DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 05/05/2005
- Copy of the International Search Report filed on 05/05/2005
- Preliminary Amendments filed on 05/05/2005
- Information Disclosure Statements filed on 05/05/2005
- Oath or Declaration filed on 12/04/2006
- U.S. Basic National Fees filed on 05/05/2005
- Priority Documents filed on 05/05/2005

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

---

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

Serial No.: 10533.98 Docket No.: 789-89  
Client: Burdman Bag

Commissioner for Patents

Sir:

Please acknowledge receipt of the paper(s) noted hereon by stamping the date received and returning this card to the undersigned.

Respectfully,

**Akerman Senterfitt**  
ATTORNEYS AT LAW

- ☐ Application  
☐ Submission of Formal Drawings  
☐ Sheets of Drawing  
☐ Declaration/POA signed  
☐ Fee (\$ 65.00)  
☒ Amendment/Response to NMR  
☐ Request for Extension of Time  
☐ Assignment & Recordation Coversheet  
☒ Copy of Notice of Missing Parts  
☒ Transmittal Letter  
☐ PTOL-85 Fee Transmittal  
☐ IDS, PTO/SB008A&B, Refs.

Express Mail No. 3 MAR 2005



Hasler

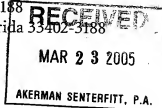
016H16505070

\$00.250

Mailed From 33401

POSTAGE WILL BE PAID BY ADDRESSEE POSTAGE

**Akerman Senterfitt**  
P.O. Box 3188  
West Palm Beach, Florida 33402-3188





## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of DUCLOS

Application No. 10/533,986

Examiner:

Filed: May 5, 2005

Group Art Unit:

For: PENDULUM ACTUATED GEARING MECHANISM AND POWER GENERATION  
SYSTEM USING SAMETRANSMITTAL LETTERCERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 3-8-06.

  
Mark D. Passler

Reg. No. 40,764

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

Please find enclosed for filing:

- Response to Notification of Missing Requirements Under 35 U.S.C 371, including copy of Notification of Missing Requirements Under 35 U.S.C 371
- Executed Declaration
- Check in the amount of \$65.00
- Return receipt postcard

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-0951.

Respectfully submitted,

Date: 3-8-06  
J. Rodman Steele, Jr.  
Registration No. 25,931  
Mark D. Passler  
Registration No. 40,764  
Akerman Senterfitt  
222 Lakeview Avenue, Suite 400  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Telephone: (561) 653-5000

Docket No. 789-89

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of DUCLOS

Application No. 10/533,986

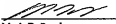
Examiner:

Filed: May 5, 2005

Group Art Unit:

For: PENDULUM ACTUATED GEARING MECHANISM AND POWER GENERATION  
SYSTEM USING SAMERESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C 371 AND  
SUBMISSION OF SIGNED DECLARATIONCERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 3-8-06.

 Reg. No. 40,764  
Mark D. Passler

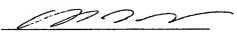
Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the above-identified application, Applicant has received a Notification of Missing Requirements Under 35 U.S.C 371, mailed February 28, 2006, indicating that the oath was missing. Applicant hereby submits the Declaration for the above-identified application signed by the inventor and a check in the amount of \$65.00 for the surcharge required under 37 C.F.R. §1.492(e). Applicant authorizes any underpayment to be charged to Deposit Account No. 50-0951. A copy of the Notification of Missing Requirements Under 35 U.S.C 371 dated February 28, 2006 is enclosed. Examination on the merits is respectfully requested.

Respectfully submitted,

Date: 3-8-06

  
J. Rodman Steele, Jr.  
Registration No. 25,931  
Mark D. Passler  
Registration No. 40,764  
Akerman Senterfitt  
222 Lakeview Avenue, Suite 400  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Telephone: (561) 653-5000

Docket No. 789-89



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/533,986	FIRST NAMED APPLICANT Paul Duclos	ATTY. DOCKET NO. 789-89
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30448  
 AKERMAN SENTERFITT  
 P.O. BOX 3188  
 WEST PALM BEACH, FL 33402-3188

INTERNATIONAL APPLICATION NO. PCT/CA04/01628	
LA. FILING DATE 09/03/2004	PRIORITY DATE 09/05/2003

CONFIRMATION NO. 9596

## 371 FORMALITIES LETTER



\*OC00000018141762\*

Date Mailed: 02/28/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/05/2005
- Copy of the International Search Report filed on 05/05/2005
- Preliminary Amendments filed on 05/05/2005
- Information Disclosure Statements filed on 05/05/2005
- U.S. Basic National Fees filed on 05/05/2005
- Priority Documents filed on 05/05/2005

MAR 06 2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,986	PCT/CA04/01628	789-89

FORM PCT/DO/EO/905 (371 Formalities Notice)

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
 (Includes Reference to PCT International Applications)

ATTORNEY DOCKET NUMBER

789-89

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe that I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PENDULUM ACTUATED GEARING MECHANISM AND POWER GENERATION SYSTEM USING THE SAME

the specification of which (check only one item below):

☒ is attached hereto.

☐ was filed as U.S. Patent Application Serial Number \_\_\_\_\_ on \_\_\_\_\_, as amended on \_\_\_\_\_ (if applicable).

☐ was filed as a PCT International application number \_\_\_\_\_ on \_\_\_\_\_, as amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or (f), or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the applications on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
PCT/CA2004/001628	PCT	09/03/2004	<input type="checkbox"/>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
			<input type="checkbox"/>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB02B attached hereto;

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (Includes Reference to PCT International Applications)		ATTORNEY DOCKET NUMBER 789-89	
I hereby claim the benefit under 35 U.S.C. Sections 120 or 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:			
PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:			
U.S. APPLICATIONS		STATUS (Check One)	
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	ABANDONED PENDING
60/500,020	09/05/2003		
PCT APPLICATIONS DESIGNATING THE U.S.			
PCT APPLICATION NUMBER	PCT FILING DATE	U.S. SERIAL NUMBERS	
POWER OF ATTORNEY: As a named inventor, I hereby appoint registered patent practitioners associated with Customer Number 30448 to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.			
Send Correspondence to: "Customer Number 30448" Akerman Senterfitt P.O. Box 3188 West Palm Beach, FL 33402-3188		Direct Telephone Calls to: Mark D. Passler  (561) 653-5000	
201	FULL NAME OF INVENTOR DUCLOS	FIRST GIVEN NAME PAUL	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP CITY ILES DE LA MADELAINE	STATE OR COUNTRY QUEBEC	COUNTRY OF CITIZENSHIP CANADA
	MAILING ADDRESS 782 CHEMIN DES CAPS, FATIMA	CITY ILES DE LA MADELAINE	STATE & ZIP CODE/COUNTRY CANADA G4T 2T5
202	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME
	RESIDENCE & CITIZENSHIP CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
	MAILING ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
203	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME
	RESIDENCE & CITIZENSHIP CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
	MAILING ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.			
SIGNATURE OF INVENTOR 201		SIGNATURE OF INVENTOR 202	
DATE		DATE	
		SIGNATURE OF INVENTOR 203	
		DATE	